

PATENT

Attorney Docket No.: 2870/155

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Shah, et al.

Serial No.: 09/324,182

Group Art Unit: 1615

Filed: June 2, 1999

Examiner: Pulliam, Amy

For: Non-Tacky Mascara Composition

RESPONSE PURSUANT TO 37 CFR 1.111

Assistant Commissioner of Patents and Trademarks

Washington, D.C. 20231

Dear Sir:

The following response to the Office Action dated December 18, 2002. Please consider the following remarks and enter the following amendments that were made in the Preliminary Amendment of September 23, 2002 as it is believed, based on the Examiner's comments in the Office Action, that these amendments were not entered nor the remarks related to the amendments considered.

AMENDMENTS

Please amend Claims 1, 25, and 30 as follows:

E1 1.(Amended) A mascara composition comprising a seedless but otherwise substantially whole processed fruit or vegetable extract of at least tacky constituents of the fruit or vegetable dispersed in a silicone oil.

E2 25.(Amended) A mascara composition comprising a seedless but otherwise substantially whole processed fruit or vegetable extract of at least tacky constituents of the fruit or vegetable dispersed in a volatile silicone oil, an antistatic component, a non-plant fiber component, and said whole processed fruit or vegetable extract comprising a natural fiber component.

E3 30.(Amended) A mascara composition for application to the eyelashes comprising about 0.05 to about 0.50 percent by weight of the composition of a seedless but otherwise substantially whole processed apple extract of at least tacky constituents of the fruit or vegetable dispersed in a cyclomethicone, a non-plant